IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

MONDAY, THE THIRTEENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

and
THE HON'BLE MR JUSTICE G.CHANDRAIAH

WRIT APPEAL NO : 988 of 2005

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 04/04/2005 in WVMP No.394 of 2005 in WPMP No. 1934 of 2005 in WP NO : 1463 OF 2005 on the file of the High Court.)

Between:

B.Bala Seshanna, s/o Nambaiah,
r/o U.Bollavaram (V), Mahanandi Mandal, Kurnool District.

..... APPELLANT

AND

1 The District Collector, Kurnool, Kurnool District.
2 The Joint Collector, Kurnool, Kurnool District.
3 The Revenue Divisional Officer, Nandyal, Kurnool District.
4 Smt.M.Vanaja, Temporary F.P.Shop Dealer, w/o Sreenivasulu, U.Bollavaram (V),
Mahanandi Mandal, Kurnool District.
5 The Mandal Revenue Officer, Mahanandi Mandal, Kurnool District.

.....RESPONDENT(S)

Counsel for the Appellant:MR.V.VENKATARAMI REDDY

Counsel for the Respondent No.1 to 3 and 5: GP FOR REVENUE

Counsel for the Respondent No.4: E. Ayyapu Reddy

The Court made the following :

JUDGMENT: (per the Hon'ble Sri Bilal Nazki, ACJ)

Heard the learned counsel for the appellant.

The writ petitioner's dealership was suspended and eventually restored after punishing him and imposing fine on him. The process took about four years. In the meantime, another person was temporarily given the agency. The learned single judge found that the matters raised in the writ petition will have to be gone into when the writ petition is finally decided as the person who had been given the dealership had approached the Collector against the order of restoration of dealership to the original dealer.

Since for four years, the writ petitioner was out and was facing proceedings and temporary dealer was dealing with the agency, in our view, he had prima facie case and balance of convenience was in his favour. For these reasons, we do not find any reason to interfere with the order passed by the learned single judge.

The writ appeal is accordingly dismissed.

Let the writ petition come up for hearing at its own turn before the appropriate Bench.

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BILAL NAZKI, ACJ

DATE: 13th June, 2005

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G. CHANDRAIAH,J

Pnb

To

1 The District Collector, Kurnool, Kurnool District.
2 The Joint Collector, Kurnool, Kurnool District.
3 The Revenue Divisional Officer, Nandyal, Kurnool District.
4 The Mandal Revenue Officer, Mahanandi Mandal, Kurnool District.

5 Two C.Cs. to the G.P. for Revenue, High Court Buildings, Hyderabad.(OUT)

6 Two C.D. copies